UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WISCONSIN — MILWAUKEE DIVISION

)	
DOES 1, 7, 8, and 9, individually;)	
DOES 2, 4, 5, and 6, individually)	
and as taxpayers;)	
DOE 3, a minor,)	
by DOE 3's next best friend, DOE 2;)	
Plaintiffs,)	
v.)	Case No. 2:09-cv-409
ELMBROOK JOINT COMMON SCHOOL)	
DISTRICT NO. 21,)	
Defendant.)	
)	

PLAINTIFFS' MOTION FOR LEAVE TO PROCEED USING PSEUDONYMS

Plaintiffs originally brought this action under pseudonyms to protect themselves, and where applicable, their minor children, from social ostracism, economic injury, governmental retaliation, and physical harm. Pursuant to General Local Rule 83.9, Plaintiffs respectfully move for permission to continue to proceed using pseudonyms. This motion is based on the accompanying Memorandum of Points and Authorities, Exhibits 131-142, and Proposed Order, and the entire record in this case.

Respectfully submitted,

/s/ Alex J. Luchenitser Alex J. Luchenitser

Ayesha N. Khan (D.C. Bar No. 426836)
Alex J. Luchenitser (D.C. Bar No. 473393)
Elizabeth J. Stevens (D.C. Bar No. 974980)
AMERICANS UNITED FOR SEPARATION
OF CHURCH AND STATE
518 C Street, NE
Washington, DC 20002
Tel: (202) 466-3234
Fax: (202) 466-2587

khan@au.org / luchenitser@au.org / stevens@au.org

James H. Hall, Jr. (Wis. Bar No. 1004338)
F. Thomas Olson (Wis. Bar No. 1010170)
HALL LEGAL, S.C.
759 North Milwaukee Street
Milwaukee, WI 53202
Tel: (414) 273-2001
Fax: (414) 273-2015
jhh@hall-legal.com / folson@hall-legal.com

Attorneys for Plaintiffs

Dated: May 12, 2009

CERTIFICATE OF SERVICE

I hereby certify that May 12, 2009, I electronically filed the foregoing Motion for Leave

to Proceed Using Pseudonyms — along with the supporting Memorandum of Points and

Authorities, Exhibits 131 through 142, and Proposed Order — with the Clerk of the Court using

the ECF system, which will send notification of such filing to the following counsel of record for

Defendant:

Lori M. Lubinsky, Esq.

Sara Beachy, Esq.

Axley Brynelson, LLP

P.O. Box 1767

Madison, WI 53701-1767

Email: *llubinsky@axley.com* / *sbeachy@axley.com*

I also served, on the same date, courtesy copies of these documents by e-mail to the

following in-house counsel for Defendant:

Mark Kapocius

School District of Elmbrook

P.O. Box 1830

Brookfield, WI 53005

Email: kapocium@elmbrookschools.org

/s/ Alex J. Luchenitser

Alex J. Luchenitser

Date: May 12, 2009

3